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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/549,337	09/13/2005	Diana Hodgins	GIL.P.US0042	6721

7590 07/11/2006

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EXAMINER

KWOK, HELEN C

ART UNIT	PAPER NUMBER
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2856

DATE MAILED: 07/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/549,337	Applicant(s) HODGINS ET AL.	
	Examiner Helen C. Kwok	Art Unit 2856	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>September 13, 2005</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities. Appropriate correction is required.

The specification lacks the appropriate headings. Note MPEP 608.01(a).

Oath/Declaration

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02. The oath or declaration is defective because there is no indication on the oath or declaration whether priority is claimed or not claimed to the foreign priority reference as indicated in the oath or declaration.

Claim Objections

4. Claims 1-19 are objected to because of the following informalities. Appropriate correction is required.

In claim 1, line 4, the word – the – should be inserted before the word “mass”.

Art Unit: 2856

In claim 5, line 3, the word – sensing – should be inserted before the word “beam” to provide better clarification.

In claim 7, line 2, the phrase “the general shape” should be changed to – a general shape --.

In claim 8, line 2, the word – pivot – should be inserted before the word “beams”.

In claim 17, line 2, the phrase “the general shape” should be changed to – a general shape --.

In claim 19, the claim fails to further limit the subject matter of a previous claim. It appears this claim is a duplicate claim of claim 4

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 7-10, 13-14 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 7, lines 2-3, the phrase “the sensing beams” lacks antecedent basis.

In claim 13, line 2, the phrase “the two masses” lacks antecedent basis.

In claim 14, line 2, the phrases “a third opening” and “a third mass” is indefinite.

How can there be a “third” opening and “third” mass when there is no mentioning of first

Art Unit: 2856

and second openings or first and second masses beforehand? In line 4, the phrase “the first and second masses” lacks antecedent basis.

In claim 17, line 3, the phrase “the four edges” lacks antecedent basis.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Publication titled “Highly Sensitive Triaxial Silicon Accelerometer With Integrated PZT Thin Film Detectors” by Kunz et al.

Kunz et al. discloses an accelerometer suggesting the claimed features (as presently claimed) as illustrated in Figures 1-3 and described on pages 156-157.

9. Claims 1-19 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,959,209 (Takeuchi et al.).

Takeuchi et al. discloses a sensor unit having multiple sensors, as illustrated in Figures 1(a)-35(b), teaches the claimed features (as presently claimed) wherein each of the multiple sensors provides independent detection of a force component along the x-, y-, and z-axis. (See, column 6, line 14 to column 14, line 6).

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The reference cited is related to a plurality of accelerometer placed on a substrate capable of measuring acceleration in the x-, y-, and z-axis.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helen C. Kwok whose telephone number is (571) 272-2197. The examiner can normally be reached on 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hezron E. Williams can be reached on (571) 272-2208. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

Application/Control Number: 10/549,337

Page 6

Art Unit: 2856

USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in cursive script, appearing to read "Helen Kwok", written over a horizontal dashed line.

Helen C. Kwok
Art Unit 2856

hck
July 6, 2006